

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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FARBERWARE LICENSING COMPANY, LLC,

Plaintiff,

- against -

MEYER MARKETING CO., LTD., MEYER  
INTELLECTUAL PROPERTIES, LTD., and  
MEYER CORPORATION, U.S.,

Defendants.  
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: No. 09 CV 2570 (HB) (MHD)

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**DECLARATION OF TIMOTHY K. SENDEK IN FURTHER SUPPORT OF  
AMENDED MOTION *IN LIMINE* TO BAR TESTIMONY AND  
SURVEY EVIDENCE OF HAL PORET**

I, Timothy K. Sendek, hereby declare as follows:

1. I am an associate of Dykema Gossett PLLC and counsel for Defendants Meyer Corporation, U.S. and Meyer Intellectual Properties Limited (“Meyer”), and am fully familiar with the facts and circumstances referenced herein.

2. This declaration is submitted to identify the Exhibits that are referenced in Meyer’s Reply in Support of Meyer’s Motion *in Limine* to Bar Testimony and Survey Evidence of Hal Poret.

3. Attached hereto as Exhibit A are true and correct excerpts from the August 7, 2009 deposition transcript of Gary Ford in the captioned proceeding.

4. Attached hereto as Exhibit B are true and correct excerpts from the July 20, 2009 deposition transcript of Hal Poret in the captioned proceeding.

5. Attached hereto as Exhibit C are true and correct excerpts from the August 11, 2009 deposition transcript of Nicholas Didow in the captioned proceeding.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 13, 2009

s/ Timothy K. Sendek  
Timothy K. Sendek